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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

14 ANZHEY BARANTSEVICH, an  
15 individual

16 Plaintiff,

17 vs.

18 VTB BANK, a Russian corporation dba  
19 VTB BANK ASSET MANAGEMENT

20 Defendants.

) Case No. CV12-8993 MMM (AJWx)

) Assigned to: Judge Margaret M.  
Morrow

) **DECLARATION OF YURI A.**  
SOLOVIEV

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**DECLARATION OF YURI A. SOLOVIEV**

I, Yuri A. Soloviev, hold the position of First Deputy President and Chairman of VTB Bank Management Board with JSC VTB Bank (“VTB Bank”). I joined VTB Bank in 2008 as Senior Vice President. I am based in Moscow and perform my duties at one of the principal places of business of VTB Bank, Moscow, Presnenskaya nab.,

12.

1. I submit this declaration in support of the Motion to Dismiss For Lack of

1 Personal Jurisdiction, Insufficient Service of Process, and Failure to State a Claim.

2 2. VTB Bank is a Russian open joint stock company. It is incorporated and  
3 organized under the laws of Russia. To my knowledge, it does not conduct business  
4 in the United States.

5 3. VTB Bank is in the commercial banking industry. Its core business is  
6 lending and other banking services for corporate customers. VTB Bank is the ultimate  
7 parent company to approximately twenty banks and financial companies in over  
8 twenty countries around the world. The VTB group of companies conducts  
9 investment banking activities through CJSC VTB Capital Holding and its subsidiaries.  
10 The investment banking companies within the VTB group of companies began  
11 operating in 2008.

12 4. CJSC VTB Capital Holding is wholly-owned by VTB Bank. It holds the  
13 stock of its subsidiaries, including CJSC VTB Capital Asset Management (“VTB  
14 Capital AM”), a closed joint-stock company organized under the laws of Russia with  
15 its principal place of business in Moscow.

16 5. VTB Capital AM’s core business is in the management of portfolios of  
17 venture capital funds. Prior to 2010, VTB Capital AM was known as “VTB Asset  
18 Management.”

19 6. VTB Capital Inc. is indirectly owned by VTB Bank through CJSC VTB  
20 Capital Holding.

21 7. VTB Bank, VTB Capital AM, and VTB Capital Inc are each separate  
22 legal entities as each has its own:

- 23 a. board of directors and officers;
- 24 b. corporate books and records;
- 25 c. business facilities and offices; and
- 26 d. financial accounts.

27 8. To my knowledge, VTB Bank has not and currently does not conduct  
28 business in California and has never been registered to do business in the State of

1 California. It does not:

- 2 a. have offices in the State of California;
- 3 b. have employees in the State of California;
- 4 c. own any real property in the State of California;
- 5 d. have any assets in the State of California;
- 6 e. solicit business in the State of California; or
- 7 f. pay taxes in the State of California

8 9. VTB Bank is not involved in the day-to-day operations of its affiliates  
9 and subsidiaries, including VTB Capital AM and VTB Capital Inc.

10 10. VTB Bank was not involved in the alleged loan made by VTB Capital  
11 AM to CJSC Beau Laboratories (Russia) or in the alleged decisions concerning the  
12 distribution of the funds associated with the loan. VTB Bank is not and has not been  
13 involved in the operations of CJSC Beau Laboratories (Russia) or Beau Laboratories  
14 Los Angeles, Inc.

15 11. To my knowledge, the individuals named in the Complaint that are  
16 alleged to be employees and/or representatives of VTB Bank are not the employees or  
17 representatives of VTB Bank.

18 12. VTB Bank has not received service of process in this action from the  
19 Ministry of Justice of the Russian Federation in accordance with the Convention on  
20 the service abroad of judicial and extrajudicial documents in civil or commercial  
21 matters (Hague conference on private international law, Hague, 15.XI.1965).

22 13. VTB Bank does not maintain an office at VTB Capital Inc.'s location in  
23 New York or anywhere else in the United States.

24 14. VTB Bank has not authorized VTB Capital Inc. to receive service of  
25 process on its behalf in connection with any matter including CJSC Beau Laboratories  
26 (Russia) and/or the Plaintiff.

27 15. The Complaint alleges that VTB Bank has done business in the United  
28 States as "VTB Bank Asset Management". This is incorrect. VTB Bank does not

1 conduct business in the United States as "VTB Bank Asset Management" or  
2 otherwise. I am not aware of any VTB Bank affiliate or subsidiary known as "VTB  
3 Bank Asset Management". To my knowledge, such entity does not exist.

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5 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws  
6 of the United States that the foregoing is true and correct.

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8 Executed this 29 day of december 2012

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12 [Yuri A. Soloviev]  
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